

2134

## AMENDMENT TRANSMITTAL LETTER (Small Entity)

Applicant(s): Michael F. Krieger

Docket No.

0406.2

Application No.  
09/963,867Filing Date  
September 26, 2001FEB 16 2005  
SEARCHED  
TRADEMARK  
EXAMINER  
Brown, Christopher J.Customer No.  
21999Group Art Unit  
2134Confirmation No.  
1618

Invention: BIOMETRIC DEVICE

COMMISSIONER FOR PATENTS:

Transmitted herewith is an amendment in the above-identified application.

Applicant claims small entity status. See 37 CFR 1.27

The fee has been calculated and is transmitted as shown below.

## CLAIMS AS AMENDED

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	-	20 =	0	x \$25.00	\$0.00
INDEP. CLAIMS	-	3 =	0	x \$100.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00

No additional fee is required for amendment.

Please charge Deposit Account No. in the amount of

A check in the amount of to cover the filing fee is enclosed.

The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 500843

Any additional filing fees required under 37 C.F.R. 1.16.

Any patent application processing fees under 37 CFR 1.17.

Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

Dated:

Feb. 14, 2005

Signature

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CC:

I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

Feb. 14, 2005

(Date)

Signature of Person Mailing Correspondence

Michael F. Krieger

Typed or Printed Name of Person Mailing Correspondence



PATENT  
Docket: 0406.2

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Michael F. Krieger  
Serial No.: 09/963,867  
Filing Date: September 26, 2001  
Title: BIOMETRIC DEVICE  
Examining Attorney: Brown, Christopher J.

## **AMENDMENT AND RESPONSE**

Mail Stop Amendment  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

This communication is responsive to the Office Action mailed September 14, 2004.

Please amend the application as follows:

**IN THE CLAIMS:**

1. (Currently Amended) A control device for authenticating the identification of a user prior to access to a software application, the control device comprising:
  - a) a biometric signal acquisition module located on a computer input device;
  - b) an area on the computer input device through which the biometric acquisition module may obtain the biometric signal of a user in ~~of the control of the computer input~~ device; and